

For Office Use Only
 Executive Office of Environmental Affairs

EOEA No.: 14049
 MEPA Analyst: Beiony Angus
 Phone: 617-626-1029

ENF Environmental Notification Form

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Waterfront Complex at Pickering Wharf		
Street: Congress Street		
Municipality: Salem	Watershed: South River /Salem Harbor	
Universal Transverse Mercator Coordinates:	Latitude: 42.51785	Longitude: 70.8894
Estimated commencement date: June 2008	Estimated completion date: June 2009	
Approximate cost: \$5.9million	Status of project design: 25	%complete
Proponent: Congress Street Realty Trust		
Street: 190 Pleasant Street		
Municipality: Marblehead	State: MA	Zip Code: 01945
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Susan St. Pierre		
Firm/Agency: Vine Associates, Inc.	Street: 372 Merrimac Street	
Municipality: Newburyport	State: MA	Zip Code: 01950
Phone: 978-465-1428	Fax:	E-mail: sst.pierre@vineassociates.net

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No
- Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No
- Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8)) Yes No
 - a Special Review Procedure? (see 301CMR 11.09) Yes No
 - a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
 - a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): N/A

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify _____) No

List Local or Federal Permits and Approvals: Planning Board Site Plan Review and Planned Unit Development; Conservation Commission Notice of Intent.

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input type="checkbox"/> Regulations | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i>
Total site acreage	0.63			
New acres of land altered		0		
Acres of impervious area	0.63	0	0.63	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0.28		
STRUCTURES				
Gross square footage	5,664	58,069	58,069	
Number of housing units	0	0	0	
Maximum height (in feet)	25	70	45	
TRANSPORTATION				
Vehicle trips per day	100	800	800	
Parking spaces	35	10	10	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	468	8,448	8,448	
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	425	9,293	9,293	
Length of water/sewer mains (in miles)	0	0	0	

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of

Rare Species, or Exemplary Natural Communities?

Yes (Specify _____) No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

Description - The Waterfront Complex at Pickering Wharf is located on a 0.63 acre site along Congress Street and the South River in Salem, MA. The Site currently contains an existing 2½ story building used primarily as support space for the adjacent Pickering Wharf marina and a roadway that leads to other portions of the Pickering Wharf development including the Waterfront Hotel. The proposed Project includes demolition of the existing building and construction of a new five story conference center that includes function space on the ground floor, hotel rooms/break out space on the 2nd and 3rd floors and residential units on the 4th and 5th floors. The 2nd through 5th floors are cantilevered beyond the ground floor building footprint on the north side of the building. A sidewalk is located under the cantilevered floors which also cover a portion of the parking spaces. A pedestrian bridge is proposed to connect the Waterfront Complex to the adjacent Waterfront Hotel from the 2nd story. Ten parking spaces are provided on the northern side of the building.

The conference center is a nonwater-dependent project that includes facilities of public accommodation on the ground through 3rd floor (function space and hotel rooms) and facilities of private tenancy on the 4th and 5th floors (residential units). The Project includes an enhanced public realm along the water's edge with a 10 foot clear Harborwalk that provides a crucial connection to the Congress Street bridge and the emerging public realm along the South River west of the bridge; a 20 foot wide public plaza along the Harborwalk that can be used for seasonal outdoor dining or other activities; and a varying width (12 to 16 feet) walkway providing a connection from the adjacent Waterfront Hotel and Derby Street to the South River and the existing waterfront walkway at Pickering Wharf. There is an existing marina, the Pickering Wharf Marina, located on the waterside of the Project Site. The Project also includes a small, 2 story marina building and electrical service building which will replace the function of the existing marina building that will be demolished.

The Chapter 91 license for the Waterfront Hotel, License No. 10005, required some "off site" open space including walkways on the Project Site. The required amount of open space including permanent walkways have been incorporated into the Project design.

Alternatives: The Project, as designed, complies with the state Chapter 91 dimensional requirements and the existing City of Salem Harbor Plan. The Project Proponent is however, currently working with the City of Salem as part of its Harbor Plan update to determine if the following substitutions might be added to the Plan:

- Exempt canopies from lot coverage calculations
- Allow the building height within 100 feet of the shoreline to reflect City Zoning which is 70 feet

If the substitutions are incorporated into the Harbor Plan, a canopy will be included in the Project design along the northern portion of the building (see Site Plan) and the five story building will be increased to a six story building with the additional story programmed for residential uses. In addition, the Project Proponent is seeking a clarification of the Harbor Plan to determine if water-dependent structures, such as the marina service building, can be placed within the landward 10 feet of the 20 foot Harborwalk required in the Harbor Plan.

Addition of the canopy would result in a 589 square foot deficit of open space required under 310 CMR 9.51(3)(d) and the building height would exceed the Chapter 91 maximum height of 55 feet 310 CMR 9.51 (3) (e), but would comply with local zoning. In the absence of a Harbor Plan, the placement of the marina service building in the landward 10 feet of the 20 foot Harborwalk is allowable under the Chapter 91 regulations. Furthermore, the existing marina building presently extends to the water's edge and the proposed replacement building is setback at least 10 feet from the water's edge.

Because the Chapter 91 license application for the Project will be filed in advance of state approval of the updated Harbor Plan, the application will include an "as of right plan" that complies with the Chapter 91 regulations as well as an alternate plan that incorporates the aforementioned proposed substitutions.

Because of the narrow width of the lot, there are no alternative building configurations that could accommodate the required programming for a conference center and meet the Chapter 91 dimensional requirements. The No Build alternative would retain the existing marina building which is constructed at the water's edge, would require the waterfront walkway to be cantilevered over the South River in this area, and would interfere with the existing floating dock system at the Pickering Wharf Marina. Further, the City would not realize the economic benefits of the new conference center and related hotel rooms and function space, and the parcel outside of the marina building footprint would continue to be used for at grade parking.

Because the "as of right" Project complies with the state Chapter 91 regulations, mitigation is not required. Should the proposed Harbor Plan substitutions be included in the updated Harbor Plan and incorporated into the Project design, the public benefits will not be diminished. The Project includes a public plaza that is not required under the Chapter 91 regulations but which serves as a significant public amenity that should offset any impacts created by the proposed increased height and minor reduction of open space resulting from the proposed canopy (which is an amenity).